

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LEOTA MAY SMITH,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-07-957-M
)	
MICHAEL ASTRUE,)	
Commissioner, Social)	
Security Administration,)	
)	
Defendant.)	

ORDER

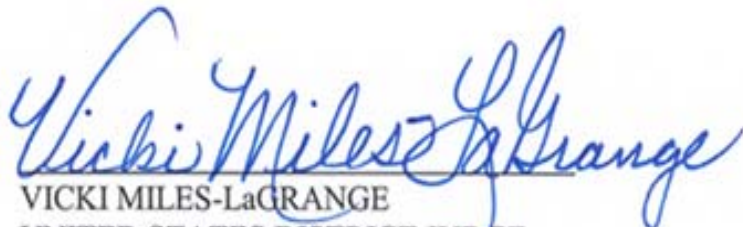
On November 12, 2008, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of the final decision of the Commissioner of the Social Security Administration (“Commissioner”) denying plaintiff’s application for benefits. The Magistrate Judge recommended the Commissioner’s decision be reversed and remanded for further administrative proceedings. The parties were advised of their right to object to the Report and Recommendation by December 2, 2008. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on November 12, 2008;
- (2) REVERSES the decision of the Commissioner;
- (3) REMANDS for further administrative proceedings consistent with the Report and Recommendation; and

- (4) ORDERS that judgment issue forthwith in accordance with the provisions of sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED this 8th day of December, 2008.


VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE